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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.
GERALD WILLIAMS,

Defendant.

Case No. 2:21-cr-00246-JAD-BNW

**Stipulation to Extend Government's
Response Deadline regarding ECF No. 28
to June 10, 2022**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and K. Nicholas Portz, Special Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Jawara Griffin, Assistant Federal Public Defender, counsel for Gerald Williams, that the government's response deadline to Defendant's Motion to Suppress (ECF No. 28) currently set for June 1, 2022, be vacated and extended to June 10, 2022.

The Stipulation is entered into for the following reasons:

1. Undersigned counsel for the government recently inherited the case and will be out of the jurisdiction prior to the current response deadline.

2. The parties agree to the extension of the response deadline for the government.
The defendant is incarcerated and does not object to the extension.

3. The additional time requested herein is not sought for purposes of delay, nor will it cause delay to the trial which is scheduled for September 13, 2022.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

This is the first stipulation to extend a responsive pleading deadline.

DATED this 24th day of May, 2022.

JASON M. FRIERSON
United States Attorney

RENE L. VALLADARES
Federal Public Defender

By /s/ K. Nicholas Portz
K. NICHOLAS PORTZ
Special Assistant United States Attorney

By /s/ Jawara Griffin
JAWARA GRIFFIN
Assistant Federal Public Defender

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**Findings of Fact, Conclusions of Law,
and Order**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The government's response deadline to Defendant's Motion to Suppress (ECF No. 28) currently set for June 1, 2022, be vacated and extended to June 10, 2022.

2. The parties agree to the extension of the response deadline for the government. The defendant is incarcerated and does not object to the extension.

3. The additional time requested herein is not sought for purposes of delay, nor will it cause delay to the trial which is scheduled for September 13, 2022.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

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CONCLUSIONS OF LAW

The ends of justice served by granting said extension outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said extension would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The extension sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the government's response deadline to Defendant's Motion to Suppress (ECF No. 28) currently set for June 1, 2022, be vacated and extended to June 10, 2022

DATED this 25th day of May, 2022.


United States Magistrate Judge